

Function 750: Administration of Justice

The Administration of Justice function consists of federal law enforcement programs, litigation and judicial activities, correctional operations, and state and local justice assistance. Agencies that administer programs within this function include the following: the Federal Bureau of Investigation (FBI); the Drug Enforcement Administration (DEA); the Immigration and Naturalization Service (INS); the United States Customs Service; the Bureau of Alcohol, Tobacco, and Firearms (ATF); the United States Attorneys; legal divisions within the Department of Justice; the Legal Services Corporation; the Federal Judiciary; and the Federal Bureau of Prisons. While the House Republican budget resolution provides increases for some federal law enforcement programs in this function, specifically those programs tied to Homeland Security, it significantly cuts state and local law enforcement programs. Following is an outline of the appropriate programs in the House Republican budget resolution.

- ***House Republican Budget Identical to the President's Budget*** — The House Republican budget provides \$32.1 billion in appropriated funds for the Administration of Justice function for 2003. The House Republican budget resolution only appears to be \$400 million below the President's budget because of an amendment adopted in Committee to switch funding for election reform from Function 750 (Administration of Justice) to function 800 (General Government).²⁵ The Republican budgets cut this function by \$800 million below the level needed to maintain constant purchasing power excluding last year's emergencies. These cuts are largely applied to state and local law enforcement assistance programs.
- ***Community Policing*** — The Community Oriented Policing Services has in prior years provided grants and other assistance to help communities hire police officers and improve law enforcement technologies. The Republican budgets eliminate traditional grants to hire and retrain new police officers in communities and schools. The House Republican budget includes a new Justice Assistance Grant Program funded at \$800 million for 2003 to replace law enforcement grants eliminated in the state and local law enforcement grant programs. The Justice Assistance Grant Program includes funds to support state and local law enforcement, prosecution, prevention, and corrections programs, and a \$60 million earmark for the Boys and Girls Club. Overall, including the new Justice Assistance Grant Program, the Republican budgets include \$1.4 billion.
- ***Federal Law Enforcement Agency Increases*** — The Republican budgets include increases for federal law enforcement programs compared to last year purchasing power level. The Republican budgets include the following totals for salaries and expenses for various federal

²⁵The President's budget also displays \$831 million in this function to account for the full cost of accruing all pensions, retired pay, and retiree health benefits for employees. This amount reflects only an accounting change and does not represent a programmatic increase. See *Appropriated Programs* and *Creative Accounting* for further discussion.

law enforcement programs: \$3.8 billion for the FBI, a \$500 million increase above the 2002 purchasing power level; \$2.6 billion for the United States Customs Service, a \$400 million increase over the 2002 purchasing power level; \$913 million for the ATF, a \$60 million increase over the 2002 purchasing power level; \$1.6 billion for the DEA, a \$50 million increase over the 2002 purchasing power level; and \$1.0 billion for the United States Secret Service, a \$40 million increase over the 2002 purchasing power level.

The Republican budgets tie many of the increases for federal law enforcement programs to homeland security activities and coordination. The Republican budgets direct \$2.0 billion toward counterterrorism efforts among the federal law enforcement agencies. The Republican budgets also include initiatives to promote intelligence gathering among the departments, detect and prevent cybercrime attacks, enhance border patrol capabilities, and improve technological capabilities.

- ***Immigration Services and Border Patrol Increases*** — The Republican budgets provide \$4.1 billion for the Department of Justice’s Immigration and Naturalization Service (INS), a \$500 million increase over the level needed, according to CBO, to maintain the 2002 purchasing power level. The Republican budgets list border security as a top priority for INS for 2003. The border security initiatives include implementing systems to track the arrivals and departures of non-U.S. citizens, securing equipment to monitor illegal entries in isolated areas, and integrating information systems to ensure comprehensive border enforcement information. In regard to immigration applicants, the Republican budgets include a plan to achieve a six-month average processing goal for all applications.
- ***State and Local Law Enforcement Grant Cuts*** — State and Local Law Enforcement Assistance Grants support programs and activities that center on combating crime. The Republican budgets, while slightly increasing funding for federal law enforcement programs, substantially cut state and local justice assistance. The Republican budgets provide \$752 million for state and local law enforcement assistance, a \$1.7 billion (69.0 percent) cut below the level needed to maintain purchasing power at the 2002 level. The Republican budgets eliminate state and local law enforcement programs such as the State Criminal Alien Assistance Program, Edward Byrne formula and discretionary grants, and Local Law Enforcement Block Grants. The Republican budgets cut programs such as the Violence Against Women Act Grants, Juvenile Incentive Block Grants, drug courts, and residential substance abuse treatment and creates a new Justice Assistance Grant Program in the Community Oriented Policing Services (COPS) program.
- ***Juvenile Justice Programs Cut*** — Juvenile justice programs provide grants and other assistance for states and localities to help combat juvenile delinquency. The Republican budgets provide \$251 million for juvenile justice assistance, a \$54 million (18.0 percent) cut below the level needed to maintain purchasing power at the 2002 level.

- ***Civil Rights Enforcement*** — The Republican budgets provide \$324 million for the Equal Employment Opportunity Commission (EEOC), a \$1 million increase over the 2002 purchasing power level. The Republican budgets provide \$46 million for the Fair Housing Activities, a \$1 million cut below the 2002 purchasing power level. The Republican budgets provide \$89 million for the Department of Education’s Office for Civil Rights, a \$5 million increase above the purchasing power level. The Republican budgets maintain the Commission on Civil Rights at the 2002 purchasing power level of \$9 million.
- ***Legal Services Corporation Cut*** — The Legal Services Corporation provides free legal assistance for people living in poverty. The Republican budgets provide \$329 million for the Legal Services Corporation, a \$6 million cut below the level needed to maintain purchasing power at the 2002 level.
- ***Correctional Activities Cut*** — The Republican budgets provide \$4.6 billion for the federal prison system, a \$200 million cut below the 2002 purchasing power level. The Republican budgets list alternatives to prison construction, such as purchasing private facilities, as its priority.
- ***United States Attorneys Increase*** — The Republican budgets provide \$1.6 billion for United States Attorneys for 2003, a \$139 million increase over the 2002 purchasing power level.
- ***Office of Justice Programs*** — The Office of Justice programs coordinate and manage policies and activities for the Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. The Republican budgets provide \$216 million for Office of Justice programs, a \$219 million (50 percent) decrease below the 2002 purchasing power level. This decrease stems from the transfer of the department’s counterterrorism program under the Office of Domestic Preparedness to the Federal Emergency Management Agency.